

Published in the Wichita Eagle on August 26 and September 2, 2011

RESOLUTION NO. 11-207

A RESOLUTION OF THE CITY OF WICHITA, KANSAS, PROVIDING FOR NOTICE OF A PUBLIC HEARING CONCERNING ADVISABILITY OF THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT WITHIN THE CITY AND THE PROPOSED LEVY OF A COMMUNITY IMPROVEMENT DISTRICT SALES TAX PURSUANT TO K.S.A. 12-6a26 *ET SEQ.*, AS MAY BE AMENDED.

WHEREAS, pursuant to K.S.A. 12-6a26 *et seq.*, as amended (the "Act"), the City of Wichita, Kansas (the "City"), is authorized to create a community improvement district as provided in the Act to provide for the acquisition, improvement, construction, demolition, removal, renovation, reconstruction, restoration, replacement, repair, furnishing and equipping of buildings, structures, facilities, sidewalks, roads, traffic signs and signals, utilities, pedestrian amenities, drainage, water, storm and sewer systems, underground gas, heating and electrical services and extensions, water mains and extensions, site improvements, street lights, lighting, street light fixtures, benches, awnings, canopies, walls, trees, landscapes and other cultural amenities (collectively, the "CID Projects" or each a "CID Project"); and

WHEREAS, upon proper petition, the Act further authorizes the City, in order to pay the costs of any project which is a CID Project, to impose a community improvement district sales tax on the selling of tangible personal property at retail or rendering or furnishing of taxable services within a community improvement district in any increment of .10% or .25% not to exceed 2% (a "CID Sales Tax") and to reimburse the costs of such project pursuant to pay-as-you-go financing and/or the issuance of special obligation notes and bonds payable from such community improvement district sales tax; and

WHEREAS, a petition (the "Petition") has been filed with the City Clerk of the City proposing the creation of a community improvement district pursuant to the Act ("the Douglas and Broadway CID"), the completion of a project relating thereto as more particularly described on Exhibit A attached hereto (the "Project"), and the imposition of a CID Sales Tax in order to pay the costs of the Project; and

WHEREAS, the Petition was signed by the owners of all of the land area within the proposed Douglas and Broadway CID; and

WHEREAS, the proposed Douglas and Broadway CID is located near the southeast corner of the intersection of Douglas Avenue and Broadway Avenue within the City; and

WHEREAS, the petition proposes that the City impose a two percent (2%) CID Sales Tax within the Douglas and Broadway CID which may be levied by ordinance following the hearing; and

WHEREAS, the Act provides that prior to creating any community improvement district, the City shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and authorizing a CID Project therein and the proposed CID Sales Tax within such district which may be levied by ordinance and shall give notice of said public hearing in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

1. Notice is hereby given that a public hearing to consider the advisability of the creation by the City of the Douglas and Broadway CID and the imposition by the City of a two percent (2%) CID Sales Tax within the Douglas and Broadway CID shall be held on September 13, 2011, beginning at 9:00 a.m. or as soon thereafter as possible, in the City Council Chambers, City Hall, 455 North Main Street, Wichita, Kansas.

2. The general nature of the proposed Project to be constructed within the proposed Douglas and Broadway CID is set forth on Exhibit A attached hereto and incorporated by reference herein.

3. The estimated cost of the Project within the proposed Douglas and Broadway CID is \$21,940,000.

4. The Project within the proposed Douglas and Broadway CID will be financed on a pay-as-you-go basis from revenues received from the imposition of a two percent (2%) CID Sales Tax up to a maximum amount of \$2,560,000 within the proposed Douglas and Broadway CID.

5. A legal description of the proposed Douglas and Broadway CID is set forth in Exhibit B attached hereto and incorporated herein by reference. A map generally outlining the boundaries of the proposed Douglas and Broadway CID is attached hereto as Exhibit C and incorporated herein by reference.

6. The City Clerk shall give notice of the public hearing in accordance with the provisions of the Act by publishing this resolution at least once each week for two consecutive weeks in the newspaper and sending this resolution by certified mail to all owners. The second publication of this resolution shall occur at least seven days prior to the date of hearing and the certified mailed notice shall be sent at least ten days prior to the date of hearing.

ADOPTED by the Governing Body this 23rd day of August, 2011.

APPROVED and SIGNED by the Mayor the 23rd day of August, 2011.

CITY OF WICHITA, KANSAS

By: _____
Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Gary Rebenstorf, City Attorney

EXHIBIT A

PROJECT

The general nature of the proposed projects (the “Projects”) is to partially finance the construction, maintenance, and procurement of certain improvements, costs, and services within the District, for the rehabilitation and conversion of the Douglas Place building at 104 S. Broadway into an upscale boutique, including, but not limited to: land acquisition, infrastructure related items, streets, sidewalks, buildings, facilities, tenant improvements, water management and drainage related items, landscaping, lighting, art, water features and other cultural amenities, ongoing maintenance of the District, marketing, advertisement and economic development, cleaning and maintenance, and the City’s administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act.

EXHIBIT B

LEGAL DESCRIPTION

Lots 1, 3, and 5 on Douglas Avenue, N.A. English's Addition, City of Wichita, Sedgwick County, Kansas

EXHIBIT "C"

Proposed Douglas and Broadway Community Improvement District

City of Wichita, Kansas

Proposed
Douglas and Broadway
Community
Improvement
District



Property Parcels within
District



Property Parcels outside
District



Software: ArcGIS 10
Hardware: Dell Xeon
Printer: Laser

Map Data Source:
Property Parcels
provided by
Sedgewick County GIS

Road Centerlines
provided by
City of Wichita

Date: 8/12/2011

Path: C:\projects\Proposed Douglas, Broadway CIP - 101.mxd
This information was entered into the City of Wichita Data Center.
Copyrighted information is shown. Department Name: Information
and Services to the Public. This map was prepared for information
purposes only. The City of Wichita does not warrant the accuracy of this information.



N TOPEKA AVE

S TOPEKA AVE

E DOUGLAS AVE

E WILLIAM ST

N BROADWAY AVE

S BROADWAY AVE

400

401

121

214

100

331

323

311

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